

REMARKS

In the Office Action mailed September 8, 2003, claims 1-5, 15 and 16 were rejected under 35 USC §102 as anticipated by Jairath et al. (USP 6,146,248). Claims 6-14, 17 and 18 were objected to as being dependent upon a rejected base claim but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Claims 19-31 were allowed.

§102

Claims 1-5, 15 and 16 were rejected under 35 USC §102 as anticipated by Jairath et al.

Applicant amends independent claim 1 to include the limitation of objected to dependent claim 7. It is submitted that dependent claims 2-5 are patentable by their ultimate dependency of claim 1, as amended. Applicant amends independent claim 15 to include the limitation of objected to dependent claim 18. It is submitted that independent claim 15 is patentable and dependent claim 16 is patentable by its ultimate dependency to amended independent claim 15.

Conclusion

Applicant amends independent claim 1 to include the limitation of objected to claim 7. Claim 7 is canceled. Applicant amends independent claim 15 to include the limitation of objected to dependent claim 18. Claim 18 is canceled. For these reasons, Applicant respectfully requests that the Examiner reconsider and withdraw the rejections of the claims. It is submitted that the claims as amended are patentable over the art of record and their allowance is respectfully requested.

If any matters can be resolved by telephone, Applicant requests that the Patent and Trademark Office call the Applicant at the telephone number listed below.

Respectfully submitted,

By: 

Daniel Hopen
Reg. No. 35,547

Legal Department
NuTool, Inc.
1655 McCandless Drive
Milpitas, CA 95035
(408) 586-9500x268